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June 1, 1999

ORIGINAL

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, D.C. 20554

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JUN 02 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY


Re: Written Ex Parte in CC Docket No. 98-147

Dear Ms. Salas:

This is to inform you that BellSouth Corporation has submitted today a written ex parte to Larry Strickling, Chief of the Common Carrier Bureau.

Pursuant to Section 1.1206(a)(1) of the Commission's rules, we are filing two copies of this notice and that written ex parte presentation. Please associate this notification with the record of CC Docket No. 98-147.

Sincerely,



Attachment

cc: Larry Strickling

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Mr. Lawrence Strickling
Chief, Common Carrier Bureau
Federal Communications Commission
The Portals
445 12 Street, S.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Ex Parte – CC Docket No. 98-147

Dear Mr. Strickling:

The Commission recently adopted its First Report and Order and Further Notice of Proposed Rulemaking¹ in the above referenced docket. The Order established several new rules regarding collocation of a competitive local exchange carrier's ("CLEC") equipment in BellSouth's central offices beyond those established in the *Interconnection Order*.² BellSouth is currently taking the steps required to comply fully with these rules. In particular, BellSouth is taking steps to satisfy the directives contained in paragraph 42 of the *Collocation Order*. Because the language of that paragraph is susceptible to more than one interpretation, however, BellSouth wishes to share with you how BellSouth intends to meet those directives.

This letter explaining BellSouth's interpretation of the *Collocation Order* is prompted by BellSouth's concern that a CLEC might seize upon the word "any" as it appears in paragraph 42 to justify an unreasonable demand for space. We note that in the *Interconnection Order*, the Commission "allowed [incumbent LECs] to retain a limited amount of floor space for defined future use." *Interconnection Order* ¶ 604. Moreover, paragraph 42 of the *Collocation Order* states that the incumbent LEC may separate its equipment from a CLEC by enclosing that equipment in a cage. Once enclosed within a cage, any unused space between the incumbent LEC's equipment would become unavailable to a CLEC.³ Accordingly, from these other collocation principles one is led to the conclusion that the word "any" cannot be interpreted to

¹ *In the Matter of Deployment of Wireline Services offering Advanced Telecommunications Capability*, CC Docket No. 98-147, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 99-48, released March 31, 1999, ¶¶ 11-12 ("Collocation Order").

² *In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, CC Docket No. 96-98, *First Report and Order*, 11 FCC Rcd 15499 (1996) ("Interconnection Order"), modified on reconsideration, 11 FCC Rcd 13042

³ BellSouth understands that this cage cannot become a tool for warehousing unreasonable amounts of space.

Mr. Lawrence Strickling
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permit a CLEC to place its equipment at any place within the incumbent LEC's premises that the CLEC chooses.

Paragraph 42 of the *Collocation Order* states:

Subject only to technical feasibility and the permissible security parameters outlined below, incumbent LECs must allow competitors to collocate in any unused space in the incumbent LEC's premises, without requiring the construction of a room, cage, or similar structure, and without requiring the creation of a separate entrance to the competitor's collocation space. ... In addition, an incumbent LEC ... may not require competitors to collocate in a room or isolated space separate from the incumbent's own equipment. The incumbent LEC may take reasonable steps to protect its own equipment, such as enclosing the equipment in its own cage, and other reasonable security measures as discussed below. The incumbent LEC may not, however, require competitors to use separate rooms or floors, which only serves to increase the cost of collocation and decrease the amount of available collocation space. The incumbent LEC may not utilize unreasonable segregation requirements to impose unnecessary additional costs on competitors.

The *Collocation Order* made clear that the intent underlying the new collocation rules is to allow CLECs access to collocation space without artificially increasing their costs or delaying their time of entry. BellSouth interprets the above rule to continue to permit incumbent LECs to establish reasonable space assignments within a central office to ensure that space is efficiently used consistent with this intent. Such incumbent LEC action is also necessary to assure that the LECs' rights, granted by the Commission, are not subordinated to those of the CLEC.⁴

Under this approach BellSouth will assign space to a CLEC within the central office, as opposed to allowing the CLEC to simply select space in an inefficient manner. A systematic process to assign space in an orderly manner is needed to avoid the ineffective use of the available space. If a CLEC were allowed to simply select the space it wanted without any limitation it would lead to inefficient space allocation. This, of course, would decrease the space available for collocation and ultimately the number of CLECs that could collocate in a central office. Indeed, the Commission recognized the potential problems of improper space allocation in its *Interconnection Order*.⁵

⁴ See discussion above regarding collocation principles established in the *Interconnection Order* and in paragraph 42 of the *Collocation Order*.

⁵ See *Interconnection Order* ¶ 586 ("Because collocation space on incumbent LEC premises may be limited, inefficient use of space by one competitive entrant could deprive another entrant of the opportunity to collocate facilities or expand existing space.")

Beyond the need to maintain an efficient space allocation process, there are numerous technical factors that only the incumbent LEC is in a position to take in consideration in assigning space within the central office. The following is a partial list of such technical factors that must be considered in determining where within a BellSouth central office physical collocation of a CLEC's equipment should occur:

- **Overall cable length.** Cable congestion and related expense can be avoided or at least minimized by careful consideration of existing and future equipment requirements of both the collocating CLEC and others that have or will later collocate there. Orderly equipment growth, *i.e.*, grouping like equipment together, allows economic efficiencies while reducing excessive cable rack congestion and resultant re-routing of cables.
- **Distance between related equipment.** Some equipment components, *e.g.*, switch call processors, must be placed so that cable length between the components does not exceed a pre-determined amount.
- **Grouping of equipment into families of equipment.** Families of equipment, *e.g.*, switching equipment or transmission equipment, must be placed together for technical reasons such as electrical grounding, which is discussed in the next bullet point, as well as to maximize the contiguous space within a given central office recovered when existing equipment is replaced by more modern equipment. Having all equipment located in the same part of the central office allows the recovery of larger "blocks" of floorspace rather than smaller parcels of floorspace interspersed among other racks of equipment.
- **Electrical grounding requirements.** Switching equipment typically requires an "isolated grounding" source while transmission equipment typically requires an "integrated grounding" source. Safety codes require that equipment served by different grounding sources be physically separated in order to avoid technicians receiving electrical shocks or being electrocuted because they simultaneously contact dissimilar grounding sources.
- **"Holes" in existing equipment line-ups.** "Holes" in equipment line-ups are spaces intentionally left empty to accommodate future growth and still assure adherence to the principles described above. (In some cases, cables and framework are modular in nature and economic efficiency results from pre-assembly and provision of such cables or framework.)

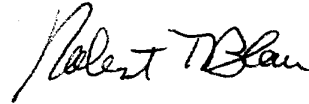
Reconciling these types of technical issues with the overall goal of the Commission to ensure that as many CLECs as possible are able to collocate in the space available within a central office without unreasonable delay or expense, BellSouth interprets the rules established

Mr. Lawrence Strickling
Chief, Common Carrier Bureau
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in the *Collocation Order* to permit BellSouth to assign space in its central offices in an efficient, reasonable manner. BellSouth assures the Commission that any space assignment will not increase the CLECs' cost of collocating, nor delay its placement of equipment in the central office. Moreover, BellSouth commits itself to work with each CLEC to accommodate that CLEC's location preferences if it has reasonable grounds for preferring a specific location within the central office.

If you have any questions regarding BellSouth's interpretation of the Order, please call me at 202/463-4108.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert T. Blau". The signature is fluid and cursive, with the first name "Robert" and last name "Blau" clearly distinguishable.

Robert T. Blau

RTB/lbl